

REMARKS

Summary of Advisory Action

The Examiner refused to enter applicants' proposed claim amendments in the May 17, 2005 Reply To Final Office Action, because the proposed amendment of claim 11 included deletion of a limitation that the Examiner said no longer made the claim allowable.

Accordingly, the status of pending claims 1, 2, 5-16, 27, 29-39, 41, 43-46, 49-54, 58, 59, 64, 65, 67, 72, 73, and 75-87 is as follows:

Claims 1, 2, 5-10, 27, 29-39, 41, 43-46, 49-54, 58, 59, 64, 65, 67, 72, 73, 86, and 87 stand allowed;

Claims 14 and 77-80 stand objected to for being dependent upon a rejected base claim, but were indicated to allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims;

Claims 11, 15, 75, and 81-85 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Herrington et al. U.S. Patent No. 6,379,363 (hereinafter "Herrington"); and

Claims 11-13, 15, 16, 75, 76, and 81-85 stand rejected under 35 U.S.C. § 103(a) as being obvious from Herrington.

Summary of Applicants' Reply

Applicants have proposed amending claims 1, 2, 11 (without deletion of the above-mentioned limitation), 76, and 78 and have proposed canceling claims 75 and 77 without prejudice.

No new matter has been added.

Reconsideration of this application in view of the proposed amendments and following remarks is respectfully requested.

Showing of Good and Sufficient Reasons
Under 37 C.F.R. § 1.116(b)(3)

Applicants request amendment of this application, even though a final rejection has been issued. The proposed amendment of independent claim 11 adds the limitations of objected-to dependent claim 77 (which the Examiner indicated would be allowable) and intervening claim 75. Claims 75 and 77 have been accordingly canceled, as proposed. The proposed amendments of claims 1 and 2 merely correct matters of form, and the proposed amendments of claims 76 and 78 change claim dependency in view of the proposed cancellation of claims 75 and 77. Thus, no additional search or consideration should be required. Accordingly, applicants respectfully request entry of the proposed amendments and consideration of the following remarks.

Rejections of Claims Under 35 U.S.C. § 102(e) and § 103(a)

Independent claim 11 and dependent claims 15, 75, and 81-85 were rejected under 35 U.S.C. § 102(e) as being anticipated by Herrington. Independent claim 11 and dependent claims 12, 13, 15, 16, 75, 76, and 81-85 were rejected under 35 U.S.C. § 103(a) as being obvious from Herrington.

These rejections are respectfully traversed.

Independent claim 11, amended as proposed, includes the limitations of dependent claim 75 and dependent claim 77, which the Examiner indicated would be allowable. Dependent claims 75 and 77 have been accordingly canceled, as proposed.

Independent claim 11, amended as proposed, should no longer be anticipated by or rendered obvious from Herrington.

Furthermore, dependent claims 12, 13, 15, 16, 76, and 81-85, which depend either directly or indirectly from claim 11, should also no longer be anticipated by or rendered obvious from Herrington (i.e., dependent claims are patentable if their independent claim is patentable).

Accordingly, applicants respectfully request that the rejections of claims 11-13, 15, 16, 76, and 81-85 under 35 U.S.C. § 102(e) or § 103(a) be withdrawn.

Objections to Claims 14 and 77-80

Dependent claims 14 and 77-80 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

These objections are respectfully traversed.

The limitations of objected-to claim 77 and intervening claim 75 have been included in independent claim 11, amended as proposed. Claims 75 and 77 have been accordingly canceled, as proposed. Dependent claims 76 and 78 have been amended, as proposed, to depend from claim 11 instead of from claims 75 and 77, respectively.

Accordingly, as discussed above, claim 11, amended as proposed, should now be allowable, and because dependent claims 14 and 78-80 depend either directly or indirectly from claim 11, they too should now be allowable.

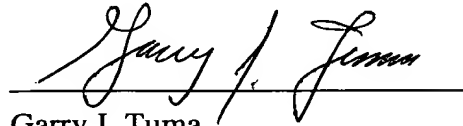
Accordingly, applicants respectfully request that the objections to dependent claims 14 and 78-80 be withdrawn.

Conclusion

The foregoing demonstrates that claims 1, 2, 5-16, 27, 29-39, 41, 43-46, 49-54, 58, 59, 64, 65, 67, 72, 73, 76, and 78-87 are allowable. This application is therefore in

condition for allowance. Reconsideration, entry of the proposed amendments, and allowance are accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Garry J. Tuma", is written over a horizontal line.

Garry J. Tuma
Registration No. 40,210
Attorney for Applicants

JONES DAY
Customer No. 51832
222 East 41st Street
New York, New York 10017
(212) 326-3939